

Court to affirm that the second amendment protects an individual right to possess firearms. With the signatures of Vice President CHENEY, 55 Senators, and 250 Members of the House of Representatives, this amicus brief had the support of more Members of Congress than any other amicus brief in known history.

Unfortunately, it did not come as a great surprise that soon after the Supreme Court decided the Heller case, the DC City Council began exploring new ways to restrict firearm possession in the District.

In response, on September 17, the House of Representatives passed the National Capital Security and Safety Act, H.R. 6842, by an overwhelming bipartisan vote of 266-152. This bill prohibits the DC government from passing any law to restrict firearms in a person's home, business, or land. Additionally, the legislation rolls back the restrictions that the DC government has implemented that prohibit the registration of certain types of firearms. The bill also allows residents of the District of Columbia to purchase firearms from licensed dealers in the neighboring states of Virginia and Maryland.

After the House of Representatives passed this important bill, I joined 47 of my colleagues in the Senate in sending a letter to Majority Leader REID asking him to bring up H.R. 6842 for consideration in the Senate. I sincerely hope that the Senate has the opportunity to debate and vote on this bill and send it to President Bush this year.

I have tenaciously fought to preserve the right of individual citizens to keep and bear arms since my first days in Congress. I will continue in this next stage of the battle over the interpretation of the second amendment.

#### CITIZENSHIP APPLICATION BACKLOGS

Mr. LEAHY. Mr. President, following Republican opposition to the Senate's effort to pass a comprehensive immigration bill last summer, President Bush and other Republicans moved on and away from this admirable goal. They chose, instead, to accommodate the most extreme views in their party with respect to immigration. Secretary Chertoff turned to mass immigration raids and building border walls that have consumed millions of taxpayer dollars, tread on the rights of property owners along the southern border, scarred the environment and tarnished the reputation of the United States around the world.

One aspect of the immigration debate on which I have continued to press this year is the backlog in citizenship applications. Last year, the administration insisted on a fee increase for citizenship applications and assured us it would cut processing time if authorized. That increase, along with the increased enforcement activities, and an impending presidential election, com-

bined to result in a surge in citizenship applications. In just three months, May, June, and July of 2007, the immigration agency received over 700,000 citizenship applications. By last October, the agency had over 1 million citizenship applications pending, and a significant backlog had developed. Yet the administration did little. Its response reminded me of its preparations for Hurricane Katrina or the current financial meltdown. The anticipated surge in applications was not adequately planned for but resulted in a crisis before the administration would begin to notice.

In early 2008, Senator KENNEDY and I pressed Secretary Chertoff. We joined, along with Senator SCHUMER, in writing to the Homeland Security Secretary about this problem in advance of our April 2008 oversight hearing.

At the April hearing, I asked Secretary Chertoff for a firm commitment that persons who had applied for U.S. citizenship by March 31, 2008, would have their applications processed in time to register and vote in the upcoming Presidential election. Seven months should have been adequate to consider these applications, especially when the agency had sold the increase in fees to us by saying it would cut processing time to less than seven months.

When Secretary Chertoff sought to excuse his delays by blaming the Federal Bureau of Investigation, FBI, for being slow to clear name checks, we made sure to provide the FBI with additional resources.

At our most recent FBI oversight hearing with Director Mueller last week, I continued to raise the issue. At one point, the backlog in citizenship applications was 1 million. By this spring, it was still nearly half a million. After the most recent oversight hearing, we were told that it has been significantly reduced and now numbers in the tens of thousands. I thank the agents at the FBI and U.S. Customs and Immigration Services, USCIS, for their hard work.

The monthly updates we demanded have been helpful not only to us, but apparently also to encourage progress within the agency. That is, of course, still too many. No one who has been here, working hard, following the law, who has applied for citizenship more than 6 months ago, ought to be denied participation in the upcoming Presidential election because the Homeland Security bureaucracy has been too slow to process his or her application.

Now is the time for the agency to make a final push to process the remaining backlog of applications by the end of this month so that lawful immigrants will have time to register and will be able to vote. It is unacceptable that tens of thousands of people, some of whom have been waiting for 2 years to have their applications processed, will be left in limbo and unable to participate as citizens during the elections in November. So there is still significant work to do.

The Senate took an important step Wednesday night when it passed S. 2840, the Military Personnel Citizenship Processing Act. I am pleased the Senate has given its unanimous support to this legislation.

This bill is intended to help the Department of Homeland Security and USCIS expedite citizenship applications for members of the Armed Forces by creating a liaison with the FBI and by setting processing deadlines for these applications. Those who serve in our military and who wish to become citizens do not deserve to experience unnecessary bureaucratic delays. Their dedication to the United States, and their desire to become full participants in the democracy they help defend, ought to be met with a process that is as fair and efficient as possible.

The legislation the Senate passed last night will help to streamline the citizenship process for the legal permanent residents who have served the country they wish to call their own. I hope that this legislation will help move Congress toward seeking additional improvements in the citizenship process for everyone. The granting of citizenship is one of the most sacred privileges our Nation conveys, and only comes to those who have worked hard to achieve it. Ensuring that it is carried out with care and efficiency is a goal all members of Congress should support.

I thank Senators SCHUMER and HAGEL for successfully moving this legislation through the Senate, and thank all Senators for supporting this measure.

I commend Senator KENNEDY, Senator SCHUMER and the other members of the Judiciary Committee who have worked with me all year in our oversight effort to ensure that the citizenship application backlog of 1 million would be eradicated. Senator KENNEDY, in particular, is someone who has been unrelenting in his focus on this issue and characteristically fought for fairness, dignity and the rights of those least powerful among us. Senator KENNEDY is our longtime chairman of the Immigration subcommittee, and has led the Senate on immigration matters for years. He asked me to express his appreciation to USCIS for its progress in clearing up the backlog in naturalization applications that otherwise would have deprived over a million eligible citizens the opportunity to participate in our democracy during this fall's election. He asked me to say that the right to vote is the most precious right that American citizens have. He welcomes these new Americans, and he urges them to go to the polls this November.

I hope that as a new administration takes office and begins to help this Nation rise above the divisiveness, corruption, and failures of the last 8 years, we can renew our commitment to immigration reform. The answer does not lie in policies based on fear or isolationism, but in a restoration of America's rightful role in the world. It does

not lie in denying children the opportunity for an education. It does not lie in denying American farmers and small business owners willing workers, nor does it lie in exploiting foreign labor to disadvantage American workers. And the answer does not lie in raiding workplace after workplace, tearing apart families, or building walls along our borders.

#### THE MATTHEW SHEPARD ACT OF 2007

Mr. SMITH. Mr. President, I wish to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor on many occasions to highlight a separate violent, hate-motivated crime that has occurred in our country.

On the evening of August 9, 2008, 24-year-old Michael Roike was leaving the Playbill Cafe a Washington, DC, area bar with three of his friends when they noticed an SUV parked next door nearby. The SUV carried several men who reportedly spoke with Roike and his friends. The conversation allegedly began casually but escalated when the men from the SUV repeatedly used the word "faggot." One of Roike's friends, Stevon-Christophe Burrell, 29, allegedly became upset and asked the men to leave them alone. In response, a male from the SUV reportedly approached Burrell aggressively. Roike said he stepped between them and tried to diffuse the situation, but Roike recounts that he suddenly felt pain in the left side of his head and hit the ground. Burrell was also struck before the attackers fled back to the vehicle and drove away. While no suspects have been apprehended, the Metropolitan Police Department report lists the attack as a "simple assault," filing it as a hate crime based on sexual orientation.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Matthew Shepard Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

#### NATO MEMBERSHIP FOR ALBANIA AND CROATIA

Mr. CARDIN. Mr. President, the NATO Alliance is now considering its third round of post-Cold War enlargement. This will be the smallest of the rounds, with only two countries to consider compared to three in 1999 and seven in 2004. It should also be easiest, since the development of Membership Actions Plans allow NATO significantly more preinvitation interaction with aspirants today than took place

in earlier rounds. Albania and Croatia were formally invited at the April NATO Summit in Bucharest, Romania. Macedonia did not receive an invitation because of its lingering name dispute with Greece, and several European allies were unwilling to go forward with Membership Action Plans for Georgia and Ukraine.

In March of this year, the Helsinki Commission, which I cochair, held a hearing on the prospects for NATO enlargement which included testimony from expert analysts and contributions from the embassies of these five countries. We have also had hearings on the matter in the Senate Foreign Relations Committee which included administration views. It is important for the Senate to act on these protocols quickly so that ratification by all NATO countries can be completed in a timely matter.

Turning to the records of the two aspirants, Albania has made tremendous strides since 1991, and the country is solidly committed to Euro-Atlantic integration. This is demonstrated by its contribution to numerous peace operations around the world. There are concerns about organized crime and official corruption in Albania, but I believe the country is well aware of these concerns and is continuing to undertake efforts to address them. The country is also aware of the need for further electoral reform before parliamentary elections next June.

Assistant Secretary of State for European Affairs Dan Fried credibly asserted before the Senate Foreign Relations Committee that "countries continue reforms rather than abandon them, when they join the alliance," and this particularly applies to Albania given its ongoing EU aspirations. In that spirit, I want to express my support for Albania's NATO membership, which will strengthen the alliance as well as the prospects for further reform in Albania.

Croatia is clearly ready for NATO membership. Its democratic credentials are very strong. Recovering from the violent breakup of Yugoslavia, the country essentially shed its extreme nationalist leanings in 2000 and has been in rapid transition ever since. Croatia is also preparing for EU membership, boosting reform efforts, and it has become an increasingly active and helpful player in world affairs. I therefore want to express my strong support for Croatia's NATO membership as well.

#### CMS CERTIFICATIONS OF HRSA RURAL HEALTH CLINIC DESIGNATIONS

Mr. BAUCUS. Mr. President, yesterday we passed the Health Care Safety Net Act, which reauthorizes multiple programs within the jurisdiction of the Committee on Health, Education, Labor and Pensions, HELP. This bill does include one section that changes the timeframe for the Centers for Medicare and Medicaid Services, CMS,

to certify rural health clinic, RHC, shortage area designations from 3 years to 4 years. We have worked closely with the chairman and ranking member of the HELP Committee to have language included in H.R. 3343 to align the timeframe for CMS certifications of rural health clinic designations with the timeframe for HRSA designations. This provision is crucial to maintaining access to primary care and other necessary medical services in rural areas. I know that several rural health clinics in Montana would be forced to close their doors if the CMS rule were permitted to go forth. I am proud to stand with my colleagues on both sides of the aisle to ensure that these important parts of our health care delivery system are protected.

We are most appreciative of the efforts of the HELP Committee to include this language at our request. As chairman of the Finance Committee, I am obligated to point out for the record that Medicare is exclusively governed by title XVIII of the Social Security Act, which is under the exclusive jurisdiction of the Finance Committee. Inclusion of these Medicare provisions in H.R. 3343 does not represent any waiver of the Finance Committee's jurisdiction on this subject. In the absence of the Chairman of the HELP Committee, Senator KENNEDY, I would ask the distinguished ranking member, Senator ENZI, to acknowledge that Medicare is governed by title XVIII of the Social Security Act and is under the exclusive jurisdiction of the Finance Committee. Again, I would like to extend our thanks to the chairman and ranking member of the HELP Committee for graciously agreeing to our request to include this language in H.R. 3343.

Mr. ENZI. It is a great pleasure to work with my distinguished colleagues on H.R. 3343, the Health Care Safety Net Act. The Committee on Health, Education, Labor and Pensions has a long and distinguished history of championing legislation improving our health care system. Reauthorization of the health center program, the National Health Service Corps, rural health care programs, and dental workforce programs are a handful of examples of the successful programs the HELP Committee governs. I have had the pleasure of working with Senators KENNEDY and HATCH on this bill, and I very much appreciate the work of Senators SMITH, BARRASSO, ROBERTS, and the other sponsors of S. 3367, which was the genesis of the rural health clinic provision included in this bill. I also sincerely appreciate the contributions of Senators BAUCUS and GRASSLEY, as the rural health provision is under the jurisdiction of the Finance Committee. I look forward to strengthening our relationship next year as our two great committees work together on health care reform, and I am pleased the passage of this bill puts us one step closer to a higher quality health care system.

Mr. GRASSLEY. I agree with my colleague, Chairman BAUCUS, and would